

## DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **INTRAVASCULAR CATHETER WITH EXPANDED DISTAL TIP**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by or any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

NONE

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

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§1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EDWARD J. LYNCH, Registration No. 24,422  
ALAN M. KRUBINER, Registration No. 26,289  
DEREK P. FREYBERG, Registration No. 29,250  
HERWIG von MORZE, Registration No. 29,484  
PING CHOW, Registration No. 30,740  
WILLIAM SCHMONSEES, Registration No. 31,796  
WALTER KURZ, Registration No. 37,373  
GEORGE M. COOPER, Registration No. 20,201

Direct all correspondence to:

Edward J. Lynch  
HELLER, EHRMAN, WHITE & McAULIFFE  
525 University Avenue  
Palo Alto, CA 94301-1900

Full name of Sole Inventor: Brett W. Cryer

Executed on 3 day of December, 19 97.

Inventor's Signature:

Residence:

Brett W. Cryer

44 Westwind Road  
Lafayette, CA 94549

Citizenship:

Post Office Address:

United States of America  
same as above

004020 206TE960

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	)	Prior Application Examiner: <i>J. Yasko</i>
<i>Brett W. Cryer</i>	)	Prior Application Group Art Unit: <i>3763</i>
For: <b>INTRAVASCULAR CATHETER</b>	)	Divisional Classification: <i>604/523</i>
<b>WITH EXPANDED DISTAL TIP</b>	)	Status of Parent Application: <i>Allowed</i>
Serial No.: <i>Not Yet Assigned</i>	)	
Filed: <i>Concurrent</i>	)	
Docket No.: <i>22965-3831</i>	)	

ASSOCIATE POWER OF ATTORNEY

The Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

The undersigned attorney appoints the following attorneys to prosecute and transact business in the U.S. Patent and Trademark Office in connection with the above-identified application:

DEREK P. FREYBERG, Registration No. 29,250  
HERWIG von MORZE, Registration No. 29,484  
Y. PING CHOW, Registration No. 30,740  
WILLIAM SCHMONSEES, Registration No. 31,796  
WALTER KURZ, Registration No. 37,373  
ROBERT F. DENNIS, Registration No. 40,988  
WILLIAM B. ANDERSON, Registration No. 41,585  
PRISCILLA H. MARK, Registration No. 41,970  
VICTORIA L. BOYD, Registration No. 43,510  
SOODABEH TRONSON, Registration No. 41,354  
JAMES ALLAN FOX, Registration No. 38,455

of the firm

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HELLER EHRMAN WHITE & McAULIFFE LLP  
525 University Avenue  
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and

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Santa Clara, CA 95052-8167  
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and

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DOUGLAS R. HANSCOM, Registration No. 26,600  
JIM W. HELLWEGE, Registration No. 28,808  
WILLIAM A. BLAKE, Registration No. 30,548  
COLIN D. BARNITZ, Registration No. 35,061

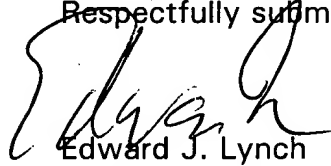
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JONES, TULLAR & COOPER, P.C.  
2001 Jefferson Davis Highway  
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Arlington, VA 22202  
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Direct all correspondence to:

**Edward J. Lynch**  
**HELLER EHRMAN WHITE & McAULIFFE LLP**  
**525 University Avenue**  
**Palo Alto, CA 94301-1900**  
**Tel. No.: (650) 324-7000**  
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Respectfully submitted,



Edward J. Lynch  
Registration No. 24,422  
Attorney for Applicants

HELLER EHRMAN WHITE & McAULIFFE LLP  
525 University Avenue  
Palo Alto, CA 94301-1900  
**Direct Dial: (650) 324-7098**  
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RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks.  
Please record the attached original document(s) or copy(ies) thereof

## 1. Name of the conveying party(ies)

Brett W. Cryer  
44 Westwind Road  
Lafayette, CA 94549

Additional name(s) of conveying party(ies) attached? No

## 2. Name and address of the receiving party(ies):

Advanced Cardiovascular Systems, Inc.  
3200 Lakeside Drive  
P.O. Box 58167  
Santa Clara, CA 95052-8167

Additional Names(s) and Address(es) Attached  
[ ] Yes [X] No

## 3. Nature of conveyance:

☒ Assignment                      ☐ Merger  
☐ Security Agreement            ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date(s) 12/3/97

## 4. Application Number(s) or Patent Number(s)

If this document is being filed together with a new application, the execution date of the application is: 12/3/97

A. Patent Application No(s).

B. Patent No(s).

Additional Numbers Attached? [ ] Yes [X] No

## 5. Name and address of party to whom correspondence should be mailed:

Edward J. Lynch  
HELLER EHRMAN WHITE & McAULIFFE  
525 University Avenue  
Palo Alto, CA 94301-1900  
Tel. (650) 324-7000  
Facsimile: (650) 324-0638

6. Total number of Applications and Patents involved 1

## 7. Total Fee (37 CFR §3.41) ..... \$40.00

[X] Enclosed [ ] Previously Paid  
[ ] Authorized to be charged to Deposit Account

8. Deposit Account No. 08-1641. Please reference Attorney  
Docket No. 22965-3830  
(Attached duplicate copy if paying by Deposit Account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Edward J. Lynch

Name of Person Signing

  
Signature

12/1/97  
Dated

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, DC 20231, and to the Office of Management and Budget, Paperwork Reduction Products, (0651-0011), Washington, DC 20503.

## ASSIGNMENT

This Assignment is made by , Assignor, of , to Advanced Cardiovascular Systems, Inc., a California Corporation, Assignee, of Santa Clara, California.

WHEREAS, Assignor has invented a new and useful **INTRAVASCULAR CATHETER WITH EXPANDED DISTAL TIP**, for which an application for United States Letters Patent is attached hereto; and

WHEREAS, Assignor believes self to be the original, first and sole inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to the interest assigned herein to said invention, said application and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the assignment herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the dates written hereinbelow.



Assignor

12/3/97  
Date

Brett W. Cryer  
Brett W. Cryer

STATE OF CALIFORNIA )  
COUNTY OF )

On \_\_\_\_\_, 1997 before me \_\_\_\_\_  
(insert name and title of officer), personally appeared **Brett W. Cryer**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity on behalf of which the person acted, executed the instrument.

**WITNESS** my hand and official seal.

\_\_\_\_\_  
(seal)

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 21, 1999

PTAS

HELLER EHRMAN WHITE & MCAULIFFE  
EDWARD J. LYNCH  
525 UNIVERSITY AVENUE  
PALO ALTO, CA 94301-1900



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jc784 U.S. PTO  
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08/04/00

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/21/1998

REEL/FRAME: 9466/0916  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CRYER, BRETT W.

DOC DATE: 08/26/1998

ASSIGNEE:

ADVANCED CARDIOVASCULAR SYSTEMS,  
INC.  
3200 LAKESIDE DRIVE  
P.O. BOX 58167  
SANTA CLARA, CALIFORNIA 95052-8167

SERIAL NUMBER: 09010380  
PATENT NUMBER:

FILING DATE: 01/21/1998  
ISSUE DATE:

DIANE RUSSELE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

HEWM-SILICON VALLEY  
PATENT DOCKETING

FEB 01 1999

DATABASE ENTRY

BY: \_\_\_\_\_

1-3-92

9-25-1998



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U.S. Department of Commerce

COVER SHEET

Patent and Trademark Office

LY

RECEIVED

To the Assistant Commissioner for Patents

nts or copy thereof.

## 1. Name of conveying party(ies):

1. Brett W. Cryer

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: Advanced Cardiovascular Systems, Inc.

Street Address: 3200 Lakeside Drive

P.O. Box 58167

City: Santa Clara

State: CA

ZIP: 95052-8167

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ ASSIGNMENT

Execution Date: August 26, 1998

## 4. Application number(s) or patent number(s):

Attorney Docket No. 22965-3830

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

S.N. 09/010,380

## B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Edward J. Lynch, Registration No. 24,422

HELLER EHRMAN WHITE &amp; MCAULIFFE

Street Address: 525 University Avenue

City: Palo Alto State: CA Zip: 94301-1900

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41)..... \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account☒ Please charge any deficiencies to our Deposit Account Number 08-1641, referencing Attorney Docket No. 22965-3830.

## 8. Deposit Account Number: 08-1641. Please reference Attorney Docket No. \_\_\_\_\_

Attach duplicate copy if paying by Deposit Account.

9/24/1998 JSHABAZZ 00000039 09010380

FC:581

40.00 OP

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward J. Lynch

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document: [ 4 ]

OMB No. 0651-0011 (exp. 4/94)

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Assistant Commissioner for Patents

Box Assignments

Washington, DC 20231

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## ASSIGNMENT

This Assignment is made by Brett W. Cryer, Assignor, of 44 Westwind Road, Lafayette, California 94549 to Advanced Cardiovascular Systems, Inc., a California Corporation, Assignee, of Santa Clara, California.

WHEREAS, Assignor has invented a new and useful **INTRAVASCULAR CATHETER WITH EXPANDED DISTAL TIP**, for which an application for United States Letters Patent was filed on January 21, 1998 and assigned Serial No. 09/010,380 hereto; and

WHEREAS, Assignor believes self to be the original, first and sole inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the

world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to the interest assigned herein to said invention, said application and any Letters Patent granted for said invention in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the assignment herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the  
dates written hereinbelow.

Assignor

8 / 26 / 98  
Date

Brett W. Cryer  
Brett W. Cryer

HEWM #34866.01.PA (QW\$01!.DOC)